## EXECUTIVE SUMMARY - ENFORCEMENT MATTER

Page 1 of 3

**DOCKET NO.:** 2007-1025-MWD-E **TCEQ ID:** RN102340627 **CASE NO.:** 34099

**RESPONDENT NAME:** Moscow Water Supply Corporation

ORDER TYPE:		
X 1660 AGREED ORDER	FINDINGS AGREED ORDER	FINDINGS ORDER FOLLOWING SOAH HEARING
FINDINGS DEFAULT ORDER	_SHUTDOWN ORDER	IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
_AMENDED ORDER	EMERGENCY ORDER	
CASE TYPE:		
AIR	MULTI-MEDIA (check all that apply)	INDUSTRIAL AND HAZARDOUS WASTE
PUBLIC WATER SUPPLY	PETROLEUM STORAGE TANKS	OCCUPATIONAL CERTIFICATION
X WATER QUALITY	SEWAGE SLUDGE	UNDERGROUND INJECTION CONTROL
MUNICIPAL SOLID WASTE	RADIOACTIVE WASTE	DRY CLEANER REGISTRATION
Highway 59 and Loop 177, Moscow, Polk C TYPE OF OPERATION: Wastewater treat SMALL BUSINESS: X Yes  OTHER SIGNIFICANT MATTERS: Ther facility location.  INTERESTED PARTIES: No one other th COMMENTS RECEIVED: The Texas Reg CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator TCEQ Enforcement Coordinator Bryan Sinclair, Enforcement Divis Respondent: Mr. Marvin Quarles,	re are no complaints. There is no record of additional and the ED and the Respondent has expressed an interister comment period expired on November 5, 2007  or:  'Ms. Merrilee Hupp, Enforcement Division, Enforcement	al pending enforcement actions regarding this rest in this matter.  No comments were received.  Dement Team 1, MC 169, (512) 239-4490; Mr.

# **RESPONDENT NAME:** Moscow Water Supply Corporation

**DOCKET NO.:** 2007-1025-MWD-E

#### VIOLATION SUMMARY CHART: CORRECTIVE ACTIONS VIOLATION INFORMATION PENALTY CONSIDERATIONS TAKEN/REQUIRED food / DESCRIPTION OF THE PROPERTY OF **Corrective Actions Taken:** Type of Investigation: Total Assessed: \$18,900 Complaint X Routine The Executive Director recognizes that the Total Deferred: \$3,780 \_\_\_ Enforcement Follow-up WSC has implemented the following X Expedited Settlement corrective measures at the Facility: Records Review Financial Inability to Pay a. By April 30, 2007, achieved compliance Date(s) of Complaints Relating to this with effluent limitations by installing a Case: None SEP Conditional Offset: \$0 new diffuser and a back-up blower; Date of Investigation Relating to this Total Paid (Due) to General Revenue: \$5,000 b. On May 24, 2007, began reporting Case: May 8, 2007 (remaining \$10.120 due in 11 monthly noncompliance notifications for effluent payments of \$920 each) violations more than 40 percent above the Date of NOV/NOE Relating to this Case: permitted limitation; June 8, 2007 (NOE) Site Compliance History Classification \_\_ High \_X Average \_\_ Poor c. By May 29, 2007, installed an audio Background Facts: This was a routine alarm at the lift station; investigation. Five violations were **Person Compliance History Classification** documented. High X Average Poor d. By May 29, 2007, raised the north side of the pond embankment to provide two WATER Major Source: Yes X No feet of freeboard; and 1) Failed to provide an audiovisual alarm Applicable Penalty Policy: September 2002 e. On May 29, 2007, submitted system for the lift station. Specifically, a notification to the TCEO that an additional red flashing light but not a horn was in disposal site had been used for sludge place at the lift station [30 Tex. ADMIN. disposal which was not originally listed on CODE § 317.3(e)(5)]. the WSC's permit application. 2) Failed to maintain not less than two feet of freeboard on the north side of Pond 1. Specifically, approximately one foot of freeboard was observed [30 Tex. ADMIN. CODE § 317.4(j)(9) and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. 11139001, Operational Requirements No. 1]. 3) Failed to submit noncompliance notifications for effluent violations more than 40 percent above the permitted limitation for the months of May, November, and December 2006 [30 Tex. ADMIN. CODE § 305.125(9) and TPDES Permit No. 11139001, Monitoring and Reporting Requirements No. 7.c.]. 4) Failed to comply with permitted minimum dissolved oxygen concentration of 4.0 milligrams per liter ("mg/L") in the months of January, May, September, November, and December 2006, reporting 2.6 mg/L, 1.6 mg/L, 3.2 mg/L, 2.0 mg/L, and 2.0 mg/L, respectively [30 Tex. ADMIN. CODE § 305.125(1), TEX. WATER CODE § 26.121(a), and TPDES Permit No.

# **RESPONDENT NAME:** Moscow Water Supply Corporation **DOCKET NO.:** 2007-1025-MWD-E

11139001, Effluent Limitations and		
Monitoring Requirements No. 6].		
5) Failed to provide notification of the use		·
of additional sludge disposal sites not		
reported during the permit application		
process. Specifically, the WSC had named		
Polk County Landfill #1384 as the disposal		
site for sludge on the permit application,		
yet had disposed of sludge at the City of		
Nacogdoches wastewater treatment plant in		
2006 [30 Tex. Admin. Code § 305.125(1)		
and TPDES Permit No. 11139001, Permit	·	
Conditions No. 4.a.iii].		

Additional ID No(s).: WQ0011139001, TX0075701

	Policy Revision 2 (Sep	Penalty Calculation Worksheet (PCW)	CW Revision June 26, 2007
TCEQ			
DATES	Assigned PCW	18-Jun-2007         27-Jun-2007       Screening       27-Jun-2007       EPA Due	
RESPO	NDENT/FACILITY	INFORMATION	The second seconds
_	Respondent	Moscow Water Supply Corporation	
Fa	Reg. Ent. Ref. No.	10-Beaumont Major/Minor Source Minor	
L	cinty/Oite Region	To Essential Transfer Source Introduced Intr	
CASE II	NFORMATION		
	Enf./Case ID No.	34099   No. of Violations   5	
<b>.</b>	/ledia Program(s)		)
	Multi-Media	EC's Team Enforcement	
	Admin. Penalty \$ 1	Limit Minimum \$0 Maximum \$10,000	
		Danalty Calculation Section	
		Penalty Calculation Section	
TOTAI	L BASE PENAL	TY (Sum of violation base penalties)	\$9,000
ADJU	STMENTS (+/-)	TO SUBTOTAL 1	n kizik gitara
		ned by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.	s i a
	Compliance Hist	ory 135% Enhancement Subtotals 2, 3, & 7	\$12,150
la sessi	Notes	The Respondent self-reported 27 effluent violations.	
	Culpability	No 0% Enhancement Subtotal 4	\$0
	- anpasamaj		`L
	Notes	The Respondent does not meet the culpability criteria.	
			.,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
	Good Faith Effor	t to Comply 25% Reduction Subtotal 5  Before NOV NOV to EDPRP/Settlement Offer	\$2,250
	Extraordinary		
	Ordinary	X	
	N/A	(mark with x)	
	Notes	The Respondent achieved compliance by May 29, 2007.	
		0% Enhancement* Subtotal 6	\$0
	Approx.	Total EB Amounts \$347 *Capped at the Total EB \$ Amount  Cost of Compliance \$3,000	
		numentus en Élippian in tradecimos del cultura gredaterago de approprietada en Abylonya. El como esta esta esta esta en Como e	·
SUM	OF SUBTOTAL	S 1-7 Final Subtotal	\$18,900
1		S JUSTICE MAY REQUIRE Subtotal by the indicated percentage. (Enter number only; e.g30 for -30%.)	\$0
rtoudoos	or crimarioes the rimare	Table at by the indicated percentage. (Enter number only, e.g. 55 for 5576.)	
	Notes	•	
		5. 10. 1/. 4	¢40.000
		Final Penalty Amount	\$18,900
STATI	UTORY LIMIT A	ADJUSTMENT Final Assessed Penalty	\$18,900
DEFE	RRAL	20% Reduction Adjustment	-\$3,780
		nalty by the indicted percentage. (Enter number only; e.g. 20 for 20% reduction.)	
	Notas	Deferral offered for expedited settlement.	
	Notes	Delettal official for expedited settleffic.	*
PAYA	<b>BLE PENALTY</b>	이 모르네이 그는 이탈 전투 문화 관련 주었다. 그 하다는 그리는 그 전달 중심하다.	\$15,120

Screening Date 27-Jun-2007

**Docket No.** 2007-1025-MWD-E

PCW

Policy Revision 2 (September 2002) PCW Revision June 26, 2007

Adjust.

Enter Number Here

Respondent Moscow Water Supply Corporation

Case ID No. 34099

Reg. Ent. Reference No. RN102340627

Media [Statute] Water Quality
Enf. Coordinator Merrilee Hupp

>> Compliance History Site Enhancement (Subtotal 2)

Component Number of...

### **Compliance History Worksheet**

Written NOVs with same or similar violations as those in the current enforcement action

Any agreed final enforcement orders containing a denial of liability (number of orders meeting critoria)  Orders Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the, commission  Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting of this state or the federal government (number of judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government (number of counts)  On orders  Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government (number of counts)  On orders  On orders  Any reminal convictions of this state or the federal government (number of counts)  On orders  Emissions  Chronic excessive emissions events (number of events)  Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)  Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)  Please Enter Yes or No  Voluntary on-site compliance assessments conducted by the executive director under a special assistance program  Participation in a voluntary pollution reduction program  Early compliance with, or offer of a product that meets future state or federal government No  Adjustment Percentage (Subtotian environmental requirements  The Respondent self-reported 27 effluent violations.  The Respondent self-reported 27 effluent violations.	NOVs	(number of NOVs meeting criteria)	2/	130%
meeting criteria   9				0%
of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission  Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting ortheria)  Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government  Convictions Any criminal convictions of this state or the federal government (number of counts)  Emissions  Chronic excessive emissions events (number of events)  Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)  Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)  Please Enter Yes or No  Other  Environmental management systems in place for one year or more  Voluntary on-site compliance assessments conducted by the executive director under a special assistance program  Participation in a voluntary pollution reduction program  Participation in a voluntary pollution reduction program  Participation in a voluntary pollution reduction program  Early compliance with, or offer of a product that meets future state or federal government environmental requirements  Adjustment Percentage (Subtotional Cubic History Person Classification (Subtotal 7)  Average Performer  In Respondent self-reported 27 effitient violations.  The Respondent self-reported 27 effitient violations.		· · · · · · · · · · · · · · · · · · ·	1 0	0%
Judgments and Consent Decrees or the federal government (number of judgements or consent decrees meeting of conteria)  Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government (number of counts)  Emissions  Chronic excessive emissions events (number of events)  Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)  Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)  Please Enter Yes or No  The Participation in a voluntary pollution reduction program  Participation in a voluntary pollution reduction program  Early compliance with, or offer of a product that meets future state or federal government and priving environmental requirements  Adjustment Percentage (Subtosion Volator (Subtotal 3)  No  Adjustment Percentage (Subtosion Listory Person Classification (Subtotal 7)  Average Performer  The Respondent self-reported 27 effluent violations.  The Respondent self-reported 27 effluent violations.	Orders	of liability, or default orders of this state or the federal government, or any final prohib		0%
Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government Any adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government (number of counts)  Any criminal convictions of this state or the federal government (number of counts)  Convictions Any criminal convictions of this state or the federal government (number of counts)  Chronic excessive emissions events (number of events)  Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)  Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)  Please Enter Yes or No  Please Enter Yes or No  Please Enter Yes or No  Convictions  Rearly compliance assessments conducted by the executive director under a special assistance program  Participation in a voluntary pollution reduction program  No  Adjustment Percentage (Subtor Interest)  Adjustment Percentage (Subtor	Judgments	of this state or the federal government (number of judgements or consent decrees meeting)	bility eting 0	0%
Emissions   Chronic excessive emissions events (number of events)   0   0   0   0   0   0   0   0   0	and Consent	Any adjudicated final court judgments and default judgments, or non-adjudicated final cjudgments or consent decrees without a denial of liability, of this state or the fee		4 1 1 1 1 4 G
Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)  Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)  Other  Environmental management systems in place for one year or more  No  Voluntary on-site compliance assessments conducted by the executive director under a special assistance program  Participation in a voluntary pollution reduction program  Early compliance with, or offer of a product that meets future state or federal government environmental requirements  Adjustment Percentage (Subtotiviolator (Subtotal 3)  No  Adjustment Percentage (Subtotiance History Person Classification (Subtotal 7)  Average Performer  The Respondent self-reported 27 effluent violations.  The Respondent self-reported 27 effluent violations.	Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Audits  Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)  Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)  Other  Environmental management systems in place for one year or more  No  Voluntary on-site compliance assessments conducted by the executive director under a special assistance program  Participation in a voluntary pollution reduction program  Participation in a voluntary pollution reduction program  No  Adjustment Percentage (Subtotivity)  Adjustment Percentage (Subtotivity)  Adjustment Percentage (Subtotivity)  Average Performer  Adjustment Percentage (Subtotivity)  Adjustment Percentage (Subtotivity)  Adjustment Percentage (Subtotivity)  The Respondent self-reported 27 effluent violations.		Chronic excessive emissions events (number of events)	0	. 0%
Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)  Please Enter Yes or No  Please Enter Yes or No  Control Plant	Audits	Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number	er of 0	0%
Other    Environmental management systems in place for one year or more   No   Compliance	, <b>, (a.a.</b>		ilege 0	0%
Other  Voluntary on-site compliance assessments conducted by the executive director under a special assistance program  Participation in a voluntary pollution reduction program  Early compliance with, or offer of a product that meets future state or federal government environmental requirements  Adjustment Percentage (Subtrative Violator (Subtotal 3)  No  Adjustment Percentage (Subtrative Violator Person Classification (Subtotal 7)  Average Performer  Adjustment Percentage (Subtration Compliance History Summary  The Respondent self-reported 27 effluent violations.			Please Enter Yes	or No
Other special assistance program		Environmental management systems in place for one year or more	No	0%
Participation in a voluntary pollution reduction program  Early compliance with, or offer of a product that meets future state or federal government environmental requirements  Adjustment Percentage (Subtot Violator (Subtotal 3)  No  Adjustment Percentage (Subtotiance History Person Classification (Subtotal 7)  Average Performer  Adjustment Percentage (Subtotiance History Summary  Compliance History Summary  The Respondent self-reported 27 effluent violations.	Other		era No	0%
Adjustment Percentage (Subtont Violator (Subtotal 3)  No  Adjustment Percentage (Subtoniance History Person Classification (Subtotal 7)  Average Performer  Adjustment Percentage (Subtoniance History Summary  Compliance History Notes  The Respondent self-reported 27 effluent violations.		Participation in a voluntary pollution reduction program	No	0%
No  Adjustment Percentage (Subtoniance History Person Classification (Subtotal 7)  Average Performer  Adjustment Percentage (Subtoniance History Summary  Compliance History Notes  The Respondent self-reported 27 effluent violations.			ment No	0%
No  Adjustment Percentage (Subtoniance History Person Classification (Subtotal 7)  Average Performer  Adjustment Percentage (Subtoniance History Summary  Compliance History Notes  The Respondent self-reported 27 effluent violations.		Adjustme	nt Percentag	e (Subtotal 2)
Average Performer  Adjustment Percentage (Subtoliance History Summary  Compliance History History Notes  Adjustment Percentage (Subtoliance Subtoliance History Summary)  The Respondent self-reported 27 effluent violations.	Violator (Su	ibtotal 3)		
Average Performer  Adjustment Percentage (Subtoliance History Summary  Compliance History Notes  The Respondent self-reported 27 effluent violations.	No	Adjustme	nt Percentag	e (Subtotal 3)
Compliance History Summary  The Respondent self-reported 27 effluent violations.  Notes	iance History	y Person Classification (Subtotal 7)		
Compliance History Notes  The Respondent self-reported 27 effluent violations.	Average P	Performer Adjustmen	nt Percentag	e (Subtotal 7)
History The Respondent self-reported 27 effluent violations.  Notes	iance Histor	y Summary		
The state of the s			A property of the grade	jungija - (jel gravita - Latera La
	Notes			itive.
Total Adjustment Percentage (Subtotals 2, 3,		Total Adjustment Percent	age (Subtota	ıls 2, 3, & 7)
(1) (1) (1) (1) (1) (1) (1) (1) (1) (1)			4 A 1 A 18	e Maria de 193

Screening Date	27-Jun-2007 <b>Doc</b>	ket No. 2007-1025-MWD-E	PCW
Respondent	Moscow Water Supply Corporation	Policy Revision	on 2 (September 2002)
Case ID No.		PCW	Revision June 26, 2007
Reg. Ent. Reference No.			www.
Media [Statute]			***************************************
Enf. Coordinator	Merrilee Hupp		***************************************
Violation Number	1		****
Rule Cite(s)	30 Tex. Admin. Co	ode § 317.3(e)(5)	
Violation Description	Failed to provide an audiovisual alarm sys flashing light but not a horn was in place at 200	the lift station, as documented on May 8,	
		Base Penalty	\$10,000
>> Environmental, Property a	nd Human Health Matrix		notice control
	Harm		
Release OR Actual	Major Moderate Minor		
Potential	X	Percent 5%	
>>Programmatic Matrix			
Falsification	Major Moderate Minor		
·		Percent 0%	
	A. A		
	h or the environment may or will be exposed ould not exceed levels protective of human he		
		Adjustment \$9,500	
			\$500
		<b>h</b>	
Violation Events			
			***************************************
Number of Vi	plation Events 1	Number of violation days	·····
**************************************	daily		200000000
venez (COO)	monthly		
mark only one	quarterly	Violation Base Penalty	\$500
with an x	semiannual		
vicani	annual x		
	Jangio Gront		
0	ne single event is recommended based on the	e May 8, 2007 investigation date.	
Economic Benefit (EB) for th	is violation	Statutory Limit Test	
Estimate	d EB Amount \$1	Violation Final Penalty Total	\$1,050
on the same of the		- I A I B I K I K	<b>64.050</b>
	This violation Fin	nal Assessed Penalty (adjusted for limits)	\$1,050

	E	conomic l	Benefit W	orks	sheet		
Case ID No.	34099	Supply Corporation	n				
	Water Quality					Percent Interest	Years of / Depreciation
Violation No.	.1					5.0	Depreciation 15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	ان.ە Onetime Costs	EB Amount
item Description		Pate Required		.,0		italjanta atalit	
Delayed Costs							
Equipment	\$250	8-May-2007	29-May-2007	0.1	\$0	\$1	\$1
Buildings				0.0	\$0	\$0	\$0
Other (as needed)		11 25 17 1 197		0.0	\$0	\$0	\$0
Engineering/construction			And the winds	0,0	\$0	\$0	σ. 1° - ° <b>\$0</b>
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a n/a	\$0 \$0
Remediation/Disposal				0.0	\$0 \$0	n/a n/a	\$0
Permit Costs Other (as needed)				0.0	\$0	n/a	\$0
Notes for DELAYED costs		investigati	ion date, final date	is the d	ate compliance wa	granger (j. 431	
Avoided Costs	ANN	IUALIZE [1] avoid	ed costs before e			one-time avoided c	
Disposal	1			0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0 2	\$0 \$0	\$0 \$0	\$0 \$0
ONE-TIME avoided costs [3]	i			0.0	\$0	\$0 \$0	\$0 \$0
Other (as needed)				0.0	<u>η</u> Φυ	φυ 1	ΨΟ
Notes for AVOIDED costs	en e			1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1	But of Jan. But of the con-		
Approx. Cost of Compliance		\$250			TOTAL		\$1

Screening	Date 2	27-Jun-2007			Docket No	. 2007-1025	5-MWD-E		PCW
Respo	ndent 1	Moscow Water	r Supply Corp	oration				Policy Rev	vision 2 (September 2002)
Case I	D No. 3	34099						PC	W Revision June 26, 2007
Reg. Ent. Reference	e No. I	RN102340627	,						200000000
Media [St	atute] \	Water Quality							***************************************
Enf. Coord	inator_	Merrilee Hupp							***************************************
Violation N	I	2							***************************************
Rule	Cite(s)	30 Tex. Ad	Imin. Code §		rements No. 1		139001, Opera	tional	
Violation Desc	cription			ly one foot of		as document	orth side of Po ted during the	- 11	
							Base	Penalty	\$10,000
>> Environmental, Prop	perty ai	nd Human I	Health Mat	rix					www.
	Release	Major	Moderate	Minor	=1				
OR	Actual								
P	otential			X		Percent	5%		
ss Danagarantia Matri						XII S			
>>Programmatic Matrix	<b>x</b> fication	Major	Moderate	Minor					
Talsi	Tication	Iviajoi	Moderate	WILTOI	1	Percent	0%		- Contraction of the Contraction
<u> </u>		I		<u>L'</u>					000000
Matrix Notes Hum	nan healtl wo	h or the enviro	onment may o	r will be expo	osed to insigni an health and	ificant amou I environmer	ints of pollutar	its which	
Tanger.						Adjustmen	t	\$9,500	
						:		. [	\$500
Violation Events						_			
Numb	er of Vio	lation Events	1		21	Number	of violation day	/S	
	only one h an x	daily monthly quarterly semiannual annual single event	X			,	Violation Bas	e Penalty[	\$500
		ne single even		nded based o	on the May 8,				
Economic Benefit (EB	) for thi	is violation				Statuto	ry Limit Te	st	
E	stimated	d EB Amount		\$	2	Violat	ion Final Pen	alty Total	\$1,050
				This violation	on Final Asse	essed Pena	Ity (adjusted	for limits)	\$1,050
	(Maria na na kata								

	E	conomic l	3enefit W	orks	sheet		
Respondent Case ID No.		Supply Corporation	۱		•		
Reg, Ent. Reference No.	RN102340627					<b>*</b>	
Media Violation No.	Water Quality 2					Percent Interest	Years of Depreciation
					The second second	5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
Delayed Costs	<b>.</b>						
Equipment				0.0	\$0	\$0	\$0
Buildings	1.11.11.11.11.11.11.11.11.11.11.11.11.1			0.0	\$0	\$0	\$0
Other (as needed)			The state of the state of	0.0	\$0	\$0	\$0
Engineering/construction	\$500	8-May-2007	29-May-2007	0,1	\$0	\$2	\$2
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0
				parel e		ration Albahaman	ľ
Notes for DELAYED costs  Avaided Costs		invest	naterials to mainta igation date and th	n two fo	late is date of com	n the pond. Date red pliance.	
Avoided Costs		invest	naterials to mainta igation date and th	n two fe e final c	date is date of com	n the pond. Date rec apliance. one-time avoided c	osts)
		invest	naterials to mainta igation date and th	n two fo	late is date of com	n the pond. Date red pliance.	
Avoided Costs Disposal Personnel		invest	naterials to mainta igation date and th	n two fee final contering	item (except for \$0 \$0	n the pond. Date recipliance, one-time avoided c	osts) \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling		invest	naterials to mainta igation date and th	n two fee final contering	item (except for	on the pond. Date recupliance,  one-time avoided complete \$0 \$0	osts) \$0 \$0
Avoided Costs Disposal Personnel		invest	naterials to mainta igation date and th	n two for final contering 0.0 0.0 0.0	item (except for \$0 \$0 \$0	n the pond. Date recipliance,  one-time avoided c \$0 \$0 \$0	osts) \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment		invest	naterials to mainta igation date and th	n two fee final contering  0.0  0.0  0.0  0.0	item (except for \$0 \$0 \$0 \$0	n the pond. Date recipliance,  one-time avoided c \$0 \$0 \$0 \$0 \$0	osts) \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]		invest	naterials to mainta igation date and th	n two fee final contering  0.0  0.0  0.0  0.0  0.0	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	on the pond. Date recipilance.  one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0	osts) \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]		invest	naterials to mainta igation date and th	n two fee final contering 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n the pond. Date recipilance.  one-time avoided c  \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]		invest	naterials to mainta igation date and th	n two fee final contering 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n the pond. Date recipilance.  one-time avoided c  \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)		invest	naterials to mainta igation date and th	n two fee final contering 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n the pond. Date recipilance.  one-time avoided c  \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)		invest	naterials to mainta igation date and th	n two fee final contering 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n the pond. Date recipilance.  one-time avoided c  \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

Screening Date 27-Jun-2007 Docket No. 2007-1025-MWD-E	PCW
Respondent Moscow Water Supply Corporation Police	y Revision 2 (September 2002)
Case ID No. 34099	PCW Revision June 26, 2007
Reg. Ent. Reference No. RN102340627	
Media [Statute] Water Quality	
Enf. Coordinator Merrilee Hupp	
Violation Number 3	
Rule Cite(s) 30 Tex. Admin. Code § 305.125(9) and TPDES Permit No. 11139001, Monitoring and Reporting Requirements No. 7.c.	d 
Violation Description Failed to submit noncompliance notifications for effluent violations more than 40 perce above the permitted limitation for the months of May, November, and December 2006	
Base Pena	lty \$10,000
>> Environmental, Property and Human Health Matrix  Harm	
Release Major Moderate Minor	2000
OR Actual Potential Percent 0%	
S.D. S. Description of the Matrix	
>>Programmatic Matrix Falsification Major Moderate Minor	***************************************
T distribution   Wayor   Woodrate   William   Percent   10%	***************************************
	***************************************
Matrix Notes  100 percent of the requirement was not met.	
Adjustment \$9,0	00
	\$1,000
	ψ1,000
Violation Events	
Number of Violation Events 3 387 Number of violation days	
daily	
mark only one quarterly Violation Base Pena	lty \$3,000
with an x semiannual semiannual	ψο,σσσ
annual	***************************************
single event x	
Three single events are recommended for the three discrete notices which were required.	
Economic Benefit (EB) for this violation Statutory Limit Test	
Estimated EB Amount \$164 Violation Final Penalty To	stal \$6,300
This violation Final Assessed Penalty (adjusted for limit	its) \$6,300

			Benefit W	01170	oneer		
Respondent	Moscow Water	Supply Corporation	n			agent State of Agency	
Case ID No				. * .		Control of Septiments	
Reg. Ent. Reference No					17.	Annual	
	Water Quality				A HOLD IN		Years of
	3					Percent Interest	Depreciation
Violation No	3		remanda a de malagada en c				
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$	and the second				10007 (0007)	
#UFE-1.7441 : 557.8884	, 110 commute of \$	and the first sector	15.15				
Delayed Costs							to a transfer in the
Equipment		1		0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)			- Marie	0.0	\$0	\$0	\$0
Engineering/construction		<b></b>	44	0.0	\$0	\$0	\$0
Land			***************************************	0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
				0.0	\$0	n/a	\$0
Training/Sampling	II	II E		II U.U	1 40	11/C	
Training/Sampling Remediation/Disposal			Post Section 1	0.0	\$0	n/a	\$0
Training/Sampling Remediation/Disposal Permit Costs			Aunt and				
Remediation/Disposal			Ant	0.0	\$0	n/a	\$0
Remediation/Disposal Permit Costs				0.0	\$0 \$0	n/a n/a	\$0 \$0
Remediation/Disposal Permit Costs Other (as needed)				0.0	\$0 \$0	n/a n/a	\$0 \$0 \$0
Remediation/Disposal Permit Costs				0.0	\$0 \$0 \$0	n/a n/a n/a	\$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed)				0.0	\$0 \$0	n/a n/a n/a	\$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs	ANI	WALTE III avaid		0.0	\$0 \$0 \$0	n/a n/a n/a	\$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed)  Notes for DELAYED costs  Avoided Costs	ANN	IUALIZE [1] avoid	ed costs before e	0.0 0.0 0.0	\$0 \$0 \$0	n/a n/a n/a V	\$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed)  Notes for DELAYED costs  Avoided Costs Disposal	ANN	IUALIZE [1] avoide	ed costs before e	0.0 0.0 0.0 0.0 ntering	\$0 \$0 \$0	n/a n/a n/a N/a N/a N/a N/a N/a N/a N/a N/a N/a N	\$0 \$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed)  Notes for DELAYED costs  AVOIDED COSTS Disposal Personnel	ANN	IUALIZE [1] avoide	ed costs before e	0.0 0.0 0.0 0.0 ntering	\$0 \$0 \$0 litem (except for \$0 \$0	n/a n/a n/a one-time avoided c	\$0 \$0 \$0 \$0 <b>osts)</b> \$0 \$0
Remediation/Disposal Permit Costs Other (as needed)  Notes for DELAYED costs  AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling	Grandania ANN	IUALIZE [1] avoide	ed costs before e	0.0 0.0 0.0 0.0 ntering 0.0 0.0 0.0	\$0 \$0 \$0 \$0 <b>item (except for</b> \$0 \$0 \$0	n/a n/a n/a n/a one-time avoided c \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed)  Notes for DELAYED costs  AVOIDED COSTS  Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment	ANN	UALIZE [1] avoide	ed costs before e	0.0 0.0 0.0 0.0 ntering 0.0 0.0 0.0	\$0 \$0 \$0 \$0 <b>item (except for</b> \$0 \$0 \$0	n/a n/a n/a n/a one-time ayoided c \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed)  Notes for DELAYED costs  AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	ANN	IUALIZE [1] avoide	ed costs before e	0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0	\$0 \$0 \$0 \$0 <b>item (except for</b> \$0 \$0 \$0 \$0	n/a n/a n/a n/a one-time avoided c \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed)  Notes for DELAYED costs  Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment	ANN ANN State of the state of t	IUALIZE [1] avoide	ed costs before e	0.0 0.0 0.0 0.0 ntering 0.0 0.0 0.0	\$0 \$0 \$0 \$0 <b>item (except for</b> \$0 \$0 \$0	n/a n/a n/a n/a one-time ayoided c \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

and the state of t

Screening Date	27-Jun-2007 <b>Docket No.</b> 2007-1025-MWD-E	PCW
Respondent	Moscow Water Supply Corporation	Policy Revision 2 (September 2002)
Case ID No.	34099	PCW Revision June 26, 2007
Reg. Ent. Reference No.	RN102340627	
Media [Statute]	Water Quality	
Enf. Coordinator		
Violation Number		
Rule Cite(s)	30 Tex. Admin. Code § 305.125(1), Tex. Water Code § 26.121(a), and TPDES Ponds No. 11139001, Effluent Limitations and Monitoring Requirements No. 6	ermit
Violation Description	Failed to comply with permitted minimum dissolved oxygen concentration of 4 milligrams per liter (mg/L) in the months of January, May, September, November, December 2006, reporting 2.6 mg/L, 1.6 mg/L, 3.2 mg/L, 2.0 mg/L, and 2.0 mg/cespectively.	, and
	Base Po	enalty \$10,000
>> Environmental, Property a	and Human Health Matrix Harm	TO CONTROL OF THE PARTY OF THE
Release		
OR Actual		
Potential	Percent 10%	
>>Programmatic Matrix Falsification	Major Moderate Minor	
Faisincation	Major Moderate Million Percent 0%	
Matrix Notes Human hea	Ilth or the environment has been exposed to insignificant amounts of pollutants which not exceed levels protective of human health and environmental factors.	ch do
	Adjustment	\$9,000
***************************************		\$1,000
Violation Events		
Number of Vi	olation Events 4 153 Number of violation days	***************************************
		acceptance of the second secon
mark only one with an x	daily monthly Violation Base P semiannual annual single event	enalty \$4,000
	Four quarterly events are recommended.	
Economic Benefit (EB) for the	ils violation Statutory Limit Test	
Estimate	d EB Amount \$174 Violation Final Penalt	y Total \$8,400
***************************************	This violation First Assessed Density (1) starting	limita) © 400
	This violation Final Assessed Penalty (adjusted for	limits) \$8,400

	E	conomic l	Benefit W	orks	sheet		
Responden	On a recommendation of the contract of the con	Supply Corporation		2/29/40/2000/00/00/00/00/	avi almek h		
Case ID No		cappi) co.po.a			,		
Reg. Ent. Reference No	58					ter which is	
	Water Quality				1.W.O. O.	1 min	Years of
Violation No	(i)					Percent Interest	Depreciation
Violation No	. 4						
						3.01	15
	Item Cost	Date Required	Final Date	Yrs		Onetime Costs	EB Amount
Item Description	1 No commas or \$	rais (care ) note			Marine H	144	
3.6	Welling on a	Sagrand Front Carl			1.1	1	
Delayed Costs			*				
Equipment	\$2,000	31-Jan-2006	30-Apr-2007	1.2	\$81. 1	\$166	\$174
Buildings			in a second seco	0.0	\$0	\$0	\$0
Other (as needed)			1,8 K	0.0	\$0	\$0110.00	\$0
Engineering/construction			THE RESIDENCE OF THE	0.0	\$0	\$0	\$0
Land		1,827.7	realist :-	0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling		1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Control of the second	0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0
Notes for DELAYED costs	oxygen levels i	n the effluent. Date	e required is the fir	et montl	h of documented o	innelwed evergen eve	
A STATE OF THE STA	ANIN	HALIZE M. avoid	final date is when	complia	ance was achieved		
Avoided Costs	S ANN	UALIZE [1] avoide	final date is when	compliantering	ance was achieved Item (except for	i. one-time avoided c	osts)
Disposal	S ANN	UALIZE [1] avoid	final date is when	compliantering	ance was achieved Item (except for \$0	i. one-time avoided c \$0	osts) \$0
Disposal Personnel	ANN	UALIZE [1] avoid	final date is when	ntering 0.0	item (except for \$0 \$0	i. one-time avoided c \$0 \$0	osts) \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling	ANN	UALIZE [1] avoide	final date is when	ntering 0.0 0.0 0.0	ance was achieved item (except for \$0 \$0 \$0 \$0	i. one-time avoided c \$0 \$0 \$0	osts) \$0 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment	ANN	UALIZE [1] avoid	final date is when	ntering 0.0 0.0 0.0 0.0	item (except for \$0 \$0	i. one-time avoided c \$0 \$0	s0 \$0 \$0 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	ANN	UALIZE [1] avoid	final date is when	ntering 0.0 0.0 0.0 0.0 0.0	Item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	i. one-time avoided c \$0 \$0 \$0	s0 \$0 \$0 \$0 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avolded costs [3]	ANN	UALIZE [1] avoid	final date is when	ntering 0.0 0.0 0.0 0.0	item (except for \$0 \$0 \$0 \$0 \$0	i. one-time avoided c \$0 \$0 \$0 \$0	s0 \$0 \$0 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	ANN	UALIZE [1] avoid	final date is when	ntering   0.0   0.	Item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	i. so	s0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)			final date is when	ntering 0.0 0.0 0.0 0.0 0.0 0.0 0.0	Item (except for \$0 \$0 \$0 \$0 \$0 \$0	i. cone-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	s0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avolded costs [3]		And the soul of th	final date is when	ntering 0.0 0.0 0.0 0.0 0.0 0.0 0.0	Item (except for \$0 \$0 \$0 \$0 \$0 \$0	i. cone-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	s0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avolded costs [3] Other (as needed)		And the soul of th	final date is when	ntering   0,0   0,0   0,0   0,0   0,0   0,0   0,0   0,0   0,0   0,0   0,0   0,0	Item (except for \$0 \$0 \$0 \$0 \$0 \$0	i. cone-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	s0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)		And the soul of th	final date is when	ntering   0,0   0,0   0,0   0,0   0,0   0,0   0,0   0,0   0,0   0,0   0,0   0,0	Item (except for \$0 \$0 \$0 \$0 \$0 \$0	i. cone-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	s0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

The second was called by the high second

ene to one to the common of th

Charles and the property of the control of the cont

Screening Date	27-Jun-2007	gi komitano aliasasi	Docket No. 2007-1025-	MWD-E	PCW
Respondent	Moscow Water	Supply Corporation		Policy Re	vision 2 (September 2002)
Case ID No.	34099			PC	W Revision June 26, 2007
Reg. Ent. Reference No.		•			
Media [Statute]	•				
Enf. Coordinator			•		
Violation Number	<u> </u>				
Rule Cite(s)	30 Tex. Admin.		TPDES Permit No. 111390 No. 4.a.iii.	01, Permit Conditions	***************************************
Violation Description	during the pe County Landfill had disposed o	rmit application process #1384 as the disposal s f sludge at the City of Na 106 without providing not	e of additional sludge dispose. Specifically, the Respond site for sludge on the 2002 pacogdoches wastewater trectice to the TCEQ that an adsite was to be used.	ent had named Polk permit application, yet atment plant the week	
				Base Penalty[	\$10,000
>> Environmental, Property a	and Human H	ealth Matrix			· · · · · · · · · · · · · · · · · · ·
		Harm			www.
Release		Moderate Minor	<b>■</b>		2000000
OR Actual			Boroont	00/	
Potential	<u> </u>		Percent	0%]	
>>Programmatic Matrix					
Falsification	Major	Moderate Minor			
	X		Percent	10%	Chance
			-		***************************************
Matrix Notes		100 percent of the requi	rement was not met.		
			Adjustment	\$9,000	
				Ī	\$1,000
904001-000	•			Ĺ	Ψ1,000
Violation Events					
Number of Vi	olation Events	1	Number of	violation days	
***************************************	daily				
<b>V</b>	monthly		•		•
mark only one	quarterly		V	iolation Base Penalty	\$1,000
with an x	semiannual			- •	
WWW.	annual				
***************************************	single event	X			
` .					***************************************
Or	e single event is	recommended based o	n the investigation date of N	лау 8, 200 <i>1</i> .	-
Economic Benefit (EB) for th	nis violation		Statutor	y Limit Test	
Estimate	d EB Amount		\$5 Violatio	on Final Penalty Total	\$2,100
Louinate					·
		This violati	on Final Assessed Penalt	y (adjusted for limits)	\$2,100

		conomic I		orks)	sheet		
		Supply Corporation	1 w.	(, <b>)</b>	arms in the	200	
Case ID No	<b>27</b> 0					esk was its as i	
	Water Quality					Percent Interest	Years of
Violation No	. 5						Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	n No commas or \$	Frank Barrell (Sal	The second section is	i Gregori		and the second	
						£.	
Delayed Costs	3		and the second				
Equipment		6.5		0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$100	1-May-2006	29-May-2007	1.1	\$5	n/a	\$5
Notes for DELAYED costs  Avoided Costs	sludge disp disposal at th	osal site. Date reque alternate disposal	uired is the approx site and final date	kimate d e is whe	ate the notice was n compliance docu	e to TCEQ regarding due to the TCEQ be mentation was rece one-time avoided o	efore the first ived by TCEQ.
Disposal	· · · · · · · · · · · · · · · · · · ·	1	1.00	0.0	T \$0	\$0	\$0
Personnel		1		0.0	\$0	\$0	\$0
inspection/Reporting/Sampling		1	<del>-,                                    </del>	0.0	\$0	\$0	\$0
Supplies/equipment		1	<del>The last years</del>	0.0	\$0	\$0	\$0
Financial Assurance [2]		4 4 4 4 5		0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0,0	\$0	\$0	\$0
•		JI					7
		Α					1.5
Notes for AVOIDED costs	1						and the second
MOTES IOI WAOIDED COSTS	II .						
Notes for Avoided Costs							
Notes for Avoided Costs						A 1 4	<u> </u>
Approx. Cost of Compliance		\$100			TOTAL		\$6

# **Compliance History**

				3		
Custome	r/Respondent/Owner-Operator:	CN600698385	Moscow Water Supply C	orporation	Classification: AVERAGE	Rating: 1.47
Regulate	d Entity:	RN102340627	MOSCOW WSC		Classification: AVERAGE	Site Rating: 1.47
ID Numb	er(s):	WASTEWATER WASTEWATER WASTEWATER WASTEWATER	LICENSING	PERMIT PERMIT PERMIT LICENSE		WQ0011139001 TPDES0075701 TX0075701 WQ0011139001
Location:			E of intersect. of US Hwy. 5		Rating Date: 9/1/2006 Rep	
TCEQ Re	egion:	REGION 10 - BE.				
Date Cor	mpliance History Prepared:	June 26, 2007				
Agency [	Decision Requiring Compliance History:	Enforcement				
Compliar	nce Period:	June 26, 2002 to	June 26, 2007			
TCEQ St	aff Member to Contact for Additional Info	rmation Regarding t	this Compliance History			
Name:	Merrilee G. Hupp	Ph	one: 512-239-4490			
		Site C	Compliance History Cor	mnononte		
<ul><li>2. Has th</li><li>3. If Yes,</li><li>4. if Yes</li><li>5. When</li></ul>	ne site been in existence and/or operation bere been a (known) change in ownership who is the current owner?  The who was/were the prior owner(s)?  The did the change(s) in ownership occur?  The nents (Multimedia) for the Site:  Final Enforcement Orders, court judge N/A	o of the site during the	ne compliance period?  decrees of the state of Tex	Yes No N/A N/A N/A as and the federa	I government.	- - -
B.	Any criminal convictions of the state of N/A	Texas and the fede	eral government.			
C.	Chronic excessive emissions events.					
	N/A					
D.	The approval dates of investigations. (	CCEDS Inv. Track.	No.)	,		

7 01/24/2003

8 02/24/2003

9 03/27/2003

10 04/25/2003

11 05/21/2003

12 05/23/2003

13 06/16/2003

14 07/28/2003

15 08/22/2003

16 09/26/2003

17 10/20/2003

18 11/20/2003

19 01/05/2004

20 01/20/2004

21 02/26/2004

22 03/18/2004

23 04/23/2004 24 05/26/2004 (201774)

(201740)

(201743)

(201748)

(313822)

(31860)

(313823)

(313824)

(313825)

(313826)

(313827)

(313828)

(313829)

(313830)

(313819)

(313820) (313821)

(359668)

```
25 06/24/2004
                        (359669)
    26 07/19/2004
                        (359670)
        08/16/2004
    27
                        (359671)
        09/16/2004
                        (359672)
    28
    29
        10/27/2004
                        (359673)
    30
       11/18/2004
                        (386116)
    31
        12/20/2004
                        (386117)
    32
        01/13/2005
                        (386118)
    33
        02/25/2005
                        (386114)
    34
        03/23/2005
                        (386115)
    35
        04/22/2005
                        (424018)
    36
        05/20/2005
                        (424019)
    37
        06/27/2005
                        (424020)
    38
        07/22/2005
                        (444808)
    39
        08/19/2005
                        (444809)
        09/26/2005
    40
                        (444810)
        10/28/2005
    41
                        (475671)
        11/28/2005
    42
                        (475672)
        12/27/2005
    43
                        (475673)
    44
        01/13/2006
                        (475674)
        02/24/2006
    45
                        (475669)
    46
        03/17/2006
                        (475670)
    47
        04/19/2006
                        (503037)
    48
        05/19/2006
                        (503038)
        06/16/2006
                        (503039)
    49
        07/19/2006
                        (525375)
    51
        08/21/2006
                        (525376)
    52
        09/18/2006
                        (525377)
    53
        10/18/2006
                        (550088)
        12/22/2006
                        (550089)
    55
        06/11/2007
                        (561330)
Written notices of violations (NOV). (CCEDS Inv. Track. No.)
      Date: 07/31/2002
                             (201758)
      Self Report?
                                                                            Classification:
                                                                                             Moderate
                         30 TAC Chapter 305, SubChapter F 305.125(1)
      Citation:
                         TWC Chapter 26 26.121(a)[G]
                         Failure to meet the limit for one or more permit parameter
      Description:
      Date: 08/31/2002
                             (201761)
      Self Report?
                                                                            Classification:
                                                                                             Moderate
      Citation:
                         30 TAC Chapter 305, SubChapter F 305.125(1)
                         TWC Chapter 26 26.121(a)[G]
      Description:
                         Failure to meet the limit for one or more permit parameter
      Date: 11/30/2002
                             (201770)
                                                                            Classification:
      Self Report?
                                                                                             Moderate
                         30 TAC Chapter 305, SubChapter F 305.125(1)
      Citation:
                         TWC Chapter 26 26.121(a)[G]
      Description:
                         Failure to meet the limit for one or more permit parameter
      Date: 12/31/2002
                             (201774)
                                                                            Classification:
                                                                                             Moderate
      Self Report?
      Citation:
                         30 TAC Chapter 305, SubChapter F 305.125(1)
                         TWC Chapter 26 26.121(a)[G]
      Description:
                         Failure to meet the limit for one or more permit parameter
      Date: 04/30/2003
                             (313822)
                                                                            Classification:
                                                                                             Moderate
      Self Report?
      Citation:
                         30 TAC Chapter 305, SubChapter F 305.125(1)
                         TWC Chapter 26 26.121(a)[G]
      Description:
                         Failure to meet the limit for one or more permit parameter
      Date: 05/31/2003
                             (313823)
      Self Report?
                     YES
                                                                            Classification:
                                                                                             Moderate
                         30 TAC Chapter 305, SubChapter F 305.125(1)
      Citation:
                         TWC Chapter 26 26.121(a)[G]
                         Failure to meet the limit for one or more permit parameter
      Description:
      Date: 05/31/2004
                             (359669)
```

E.

TWC Chapter 26 26.121(a)[G] Description: Failure to meet the limit for one or more permit parameter

Self Report?

Citation:

YES

30 TAC Chapter 305, SubChapter F 305.125(1)

Classification:

Moderate

TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter

Date: 11/30/2005 (475673)

Self Report?

Moderate

Citation:

30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

(475669)

Description:

Failure to meet the limit for one or more permit parameter

Date: 01/31/2006

Self Report?

Classification:

Classification:

Moderate

Citation:

30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]

Description: Date: 05/31/2006 (503039)

Failure to meet the limit for one or more permit parameter

Self Report?

Classification:

Moderate

Citation:

30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Description:

Failure to meet the limit for one or more permit parameter

Date: 09/30/2006

Self Report?

Classification:

Classification:

Moderate

Moderate

Citation:

30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Description: Date: 11/30/2006

Failure to meet the limit for one or more permit parameter

(550089)

(550088)

Self Report? Citation:

30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Description:

Failure to meet the limit for one or more permit parameter

Date: 12/31/2006

Self Report? YES

Classification:

Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26, 26.121(a)(G)

Description:

Failure to meet the limit for one or more permit parameter

F. Environmental audits

N/A

Type of environmental management systems (EMSs). G.

N/A

Н. Voluntary on-site compliance assessment dates.

N/A

Participation in a voluntary pollution reduction program. l.

N/A

Early compliance. J.

N/A

Sites Outside of Texas

N/A

Date: 06/30/2004 (359670)

Classification: Self Report? Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter

Date: 07/31/2004 (359671)

Classification: Self Report? Moderate

30 TAC Chapter 305, SubChapter F 305.125(1) Citation:

TWC Chapter 26 26.121(a)[G]

Failure to meet the limit for one or more permit parameter Description:

Date: 08/31/2004 (359672)

Self Report? Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter

Date: 10/30/2004 (386116)

Classification: Self Report? Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G] Failure to meet the limit for one or more permit parameter

Description: Date: 11/30/2004 (386117)

Classification: Moderate Self Report?

30 TAC Chapter 305, SubChapter F 305.125(1) Citation:

TWC Chapter 26 26.121(a)[G]

Failure to meet the limit for one or more permit parameter Description:

Date: 12/31/2004 (386118)

Self Report? Classification: Moderate

30 TAC Chapter 305, SubChapter F 305.125(1) Citation:

TWC Chapter 26 26.121(a)[G] Failure to meet the limit for one or more permit parameter

Description:

Date: 01/31/2005 (386114)Moderate Classification: Self Report?

30 TAC Chapter 305, SubChapter F 305.125(1) Citation:

TWC Chapter 26 26.121(a)[G]

Failure to meet the limit for one or more permit parameter Description:

Date: 02/28/2005 (386115)

Classification: Moderate Self Report?

Moderate

30 TAC Chapter 305, SubChapter F 305.125(1) Citation:

TWC Chapter 26 26.121(a)[G] Description: Failure to meet the limit for one or more permit parameter

Date: 03/31/2005 (424018)

Classification: Self Report?

30 TAC Chapter 305, SubChapter F 305.125(1) Citation: TWC Chapter 26 26.121(a)[G]

Failure to meet the limit for one or more permit parameter Description:

Date: 04/30/2005 (424019)

Classification: Moderate Self Report?

30 TAC Chapter 305, SubChapter F 305.125(1) Citation:

TWC Chapter 26 26.121(a)[G]

Failure to meet the limit for one or more permit parameter Description:

(424020)Date: 05/31/2005

Classification: Moderate Self Report?

30 TAC Chapter 305, SubChapter F 305.125(1) Citation:

TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter

(444809) Date: 07/31/2005

Self Report? Classification: Moderate

30 TAC Chapter 305, SubChapter F 305.125(1) Citation:

TWC Chapter 26 26.121(a)[G]

Failure to meet the limit for one or more permit parameter Description:

Date: 08/31/2005 (444810)

Classification: Moderate Self Report?

30 TAC Chapter 305, SubChapter F 305.125(1) Citation:

TWC Chapter 26 26.121(a)[G] Failure to meet the limit for one or more permit parameter

Description: (475672)Date: 10/31/2005

Classification: Moderate Self Report?

30 TAC Chapter 305, SubChapter F 305.125(1) Citation:

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
MOSCOW WATER SUPPLY	§	
CORPORATION	§	
RN102340627	§.	ENVIRONMENTAL QUALITY

#### AGREED ORDER DOCKET NO. 2007-1025-MWD-E

#### I. JURISDICTION AND STIPULATIONS

At its \_\_\_\_\_\_ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Moscow Water Supply Corporation ("the WSC") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and the WSC appear before the Commission and together stipulate that:

- 1. The WSC owns and operates a wastewater treatment facility approximately 600 feet southeast of the intersection of United States Highway 59 and Loop 177 in Moscow, Polk County, Texas (the "Facility").
- 2. The WSC has discharged municipal waste into or adjacent to any water in the state under TEX. WATER CODE ch. 26.
- 3. The Commission and the WSC agree that the Commission has jurisdiction to enter this Agreed Order, and that the WSC is subject to the Commission's jurisdiction.
- 4. The WSC received notice of the violations alleged in Section II ("Allegations") on or about June 13, 2007.
- 5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the WSC of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
- 6. An administrative penalty in the amount of Eighteen Thousand Nine Hundred Dollars (\$18,900) is assessed by the Commission in settlement of the violations alleged in Section II

("Allegations"). The WSC has paid Five Thousand Dollars (\$5,000) of the administrative penalty and Three Thousand Seven Hundred Eighty Dollars (\$3,780) is deferred contingent upon the WSC's timely and satisfactory compliance with all the terms of this Agreed Order. If the WSC fails to timely and satisfactorily comply with all requirements of this Agreed Order, including the payment schedule, the Executive Director may require the WSC to pay all or part of the deferred penalty.

The remaining amount of Ten Thousand One Hundred Twenty Dollars (\$10,120) of the administrative penalty shall be payable in eleven monthly payments of Nine Hundred Twenty Dollars (\$920) each. The next monthly payment shall be paid within 30 days after the effective date of this Agreed Order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous payment until paid in full. If the WSC fails to timely and satisfactorily comply with the payment requirements of this Agreed Order, the Executive Director may, at the Executive Director's option, accelerate the maturity of the remaining installments, in which event the unpaid balance shall become immediately due and payable without demand or notice. In addition, the failure of the WSC to meet the payment schedule of this Agreed Order constitutes the failure by the WSC to timely and satisfactorily comply with all the terms of this Agreed Order.

- 7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
- 8. The Executive Director of the TCEQ and the WSC have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
- 9. The Executive Director recognizes that the WSC has implemented the following corrective measures at the Facility:
  - a. By April 30, 2007, achieved compliance with effluent limitations by installing a new diffuser and a back-up blower;
  - b. On May 24, 2007, began reporting noncompliance notifications for effluent violations more than 40 percent above the permitted limitation;
  - c. By May 29, 2007, installed an audio alarm at the lift station;
  - d. By May 29, 2007, raised the north side of the pond embankment to provide two feet of freeboard; and
  - e. On May 29, 2007, submitted notification to the TCEQ that an additional disposal site had been used for sludge disposal which was not originally listed on the WSC's permit application.
- 10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the WSC has not complied with one or more of the terms or conditions in this Agreed Order.
- 11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.

en de la composition La composition de la

.

en de la companya de la co

and the second of the second o

en de de la companya La companya de la co La companya de la co

12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

#### II. ALLEGATIONS

As owner and operator of the Facility, the WSC is alleged to have:

- 1. Failed to provide an audiovisual alarm system for the lift station, in violation of 30 TEX. ADMIN. CODE § 317.3(e)(5), as documented during an investigation conducted on May 8, 2007. Specifically, a red flashing light but not a horn was in place at the lift station.
- 2. Failed to maintain not less than two feet of freeboard on the north side of Pond 1, in violation of 30 Tex. ADMIN. CODE § 317.4(j)(9) and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. 11139001, Operational Requirements No. 1, as documented during an investigation conducted on May 8, 2007. Specifically, approximately one foot of freeboard was observed.
- 3. Failed to submit noncompliance notifications for effluent violations more than 40 percent above the permitted limitation for the months of May, November, and December 2006, in violation of 30 Tex. ADMIN. CODE § 305.125(9) and TPDES Permit No. 11139001, Monitoring and Reporting Requirements No. 7.c., as documented during an investigation conducted on May 8, 2007.
- 4. Failed to comply with permitted minimum dissolved oxygen concentration of 4.0 milligrams per liter ("mg/L") in the months of January, May, September, November, and December 2006, reporting 2.6 mg/L, 1.6 mg/L, 3.2 mg/L, 2.0 mg/L, and 2.0 mg/L, respectively, in violation of 30 Tex. ADMIN. CODE § 305.125(1), Tex. WATER CODE § 26.121(a), and TPDES Permit No. 11139001, Effluent Limitations and Monitoring Requirements No. 6, as documented during an investigation conducted on May 8, 2007.
- 5. Failed to provide notification of the use of additional sludge disposal sites not reported during the permit application process, in violation of 30 Tex. ADMIN. CODE § 305.125(1) and TPDES Permit No. 11139001, Permit Conditions No. 4.a.iii, as documented during an investigation conducted on May 8, 2007. Specifically, the WSC had named Polk County Landfill #1384 as the disposal site for sludge on the permit application, yet had disposed of sludge at the City of Nacogdoches wastewater treatment plant in 2006.

#### III. DENIALS

The WSC generally denies each allegation in Section II ("Allegations").

#### IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the WSC pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the WSC's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations, which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Moscow Water Supply Corporation, Docket No. 2007-1025-MWD-E" to:

Financial Administration Division, Revenues Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

- 2. The provisions of this Agreed Order shall apply to and be binding upon the WSC. The WSC is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
- 3. If the WSC fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the WSC's failure to comply is not a violation of this Agreed Order. The WSC shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The WSC shall notify the Executive Director within seven days after the WSC becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
- 4. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the WSC shall be made in writing to the Executive Director. Extensions are not effective until the WSC receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
- 5. This Agreed Order, issued by the Commission, shall not be admissible against the WSC in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
- 6. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
- 7. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the WSC, or three days after the date on which the Commission mails notice of the Order to the WSC, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

1. A. A.

en de la composition de de la composition de

Addition of the control of to a section of the control of the c

Moscow Water Supply Corporation DOCKET NO. 2007-1025-MWD-E Page 5

# SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to turnely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEO seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

Name (Printed or typed)

Authorized Representative of

Moscow Water Supply Corporation

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Resenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.

•

; . y